

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: CATTLE AND BEEF  
ANTITRUST LITIGATION

*This document relates to:*

All Cases

Case No. 0:22-md-03031 (JRT/JFD)

**PLAINTIFFS' MOTION TO  
PERMIT LIMITED  
EVIDENTIARY RULE 30(b)(6)  
DEPOSITIONS AFTER THE  
CLOSE OF FACT DISCOVERY**

The undersigned Plaintiffs hereby move this Court for an Order permitting limited evidentiary Rule 30(b)(6) depositions after the close of fact discovery, amending the Pretrial Scheduling Order (Case No. 20-cv-01319, ECF No. 571) to permit one additional Rule 30(b)(6) deposition of up to seven hours to be taken of any party, limited to issues of authenticity and admissibility of documents, and amending the Second Order Amending Case Schedule (ECF No. 575) to allow these limited evidentiary depositions to occur after the close of fact discovery should there remain disputes over exhibits. This motion is based on the memorandum, declarations, and materials submitted with this motion and the arguments of counsel at the hearing on the motion.

Dated: April 11, 2024

/s/ Brian D. Clark

Brian D. Clark (#0390069)  
W. Joseph Bruckner (#0147758)  
Arielle S. Wagner (#0398332)  
Kyle Pozan (*pro hac vice*)  
Simeon A. Morbey (#0391338)  
Stephen M. Owen (#0399370)  
**LOCKRIDGE GRINDAL NAUEN P.L.L.P.**  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
T: (612) 339-6900  
wjbruckner@locklaw.com  
bdclark@locklaw.com  
aswagner@locklaw.com  
kjpozan@locklaw.com  
samorbey@locklaw.com  
smowen@locklaw.com

/s/ Shana E. Scarlett

Shana E. Scarlett (*pro hac vice*)  
Rio S. Pierce (*pro hac vice*)  
Abby R. Wolf (*pro hac vice*)  
Sarah E. Dupree (*pro hac vice*)  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
715 Hearst Avenue, Suite 300  
Berkeley, California 94710  
T: (510) 725-3000  
shanas@hbsslaw.com  
riop@hbsslaw.com  
abbyw@hbsslaw.com  
sarahd@hbsslaw.com

Steve W. Berman (*pro hac vice*)

**HAGENS BERMAN SOBOL SHAPIRO LLP**  
1301 Second Avenue, Suite 2000  
Seattle, Washington 98101  
T: (206) 623-7292  
steve@hbsslaw.com

*Counsel for Plaintiffs and the Proposed Consumer Indirect Purchaser Classes in the Peterson Action*

/s/Adam J. Zapala

Adam J. Zapala (*pro hac vice*)  
Elizabeth T. Castillo (*pro hac vice*)  
James G. Dallal (*pro hac vice*)  
**COTCHETT, PITRE & MCCARTHY,  
LLP**  
840 Malcolm Road, Suite 200  
Burlingame, CA 94010  
T: (650) 697-6000  
azapala@cpmlegal.com  
ecastillo@cpmlegal.com  
jdallal@cpmlegal.com

Alexander E. Barnett (*pro hac vice*)  
**COTCHETT, PITRE & MCCARTHY,  
LLP**  
40 Worth Street, Suite 602  
New York, NY 10013  
T: (212) 201-6820  
abarnett@cpmlegal.com

Jason S. Hartley (*pro hac vice*)  
**HARTLEY LLP**  
101 W. Broadway, Suite 820  
San Diego, CA 92101  
T: (619) 400-5822  
hartley@hartleyllp.com

/s/ Daniel E. Gustafson

Daniel E. Gustafson (#202241)  
Daniel C. Hedlund (#259337)  
Michelle J. Looby (#0388166)  
Joshua J. Rissman (#0391500)  
Anthony J. Stauber (#0401093)  
Bailey Twyman-Metzger (#0400179)  
**GUSTAFSON GLUEK PLLC**  
Canadian Pacific Plaza  
120 So. Sixth Street, Suite 2600  
Minneapolis, MN 55402  
T: (612) 333-8844  
dgustafson@gustafsongluek.com  
dhedlund@gustafsongluek.com  
mlooby@gustafsongluek.com  
jrissman@gustafsongluek.com  
tstauber@gustafsongluek.com  
btwymanmetzger@gustafsongluek.com

Dennis J. Stewart (*pro hac vice*)  
**GUSTAFSON GLUEK PLLC**  
600 W. Broadway, Ste. 3300  
San Diego, CA 92101  
Tel: (612) 333-8844  
Fax: (612) 339-6622  
dstewart@gustafsongluek.com

Megan E. Jones (*pro hac vice*)  
**HAUSFELD LLP**  
600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
T: (415) 633-1908  
mjones@hausfled.com

*Interim Co-Lead Counsel for the Direct  
Purchaser Plaintiffs*

/s/ Patrick J. McGahan

David R. Scott (*pro hac vice*)  
Amanda F. Lawrence (*pro hac vice*)  
Patrick J. McGahan (*pro hac vice*)  
Michael P. Srodoski (Bar No. 0398250)  
G. Dustin Foster (*pro hac vice*)  
Isabella De Lisi (*pro hac vice*)  
**SCOTT+SCOTT**  
**ATTORNEYS AT LAW LLP**  
156 Main Street  
P.O. Box 192  
Colchester, CT 06415  
T: 860-537-5537  
david.scott@scott-scott.com  
alawrence@scott-scott.com  
pmcgahan@scott-scott.com  
msrodoski@scott-scott.com  
gfoster@scott-scott.com  
idelisi@scott-scott.com

Joseph P. Guglielmo (*pro hac vice*)

**SCOTT+SCOTT**  
**ATTORNEYS AT LAW LLP**  
The Helmsley Building  
230 Park Avenue, 17th Floor  
New York, NY 10169  
T: 212-223-6444  
jguglielmo@scott-scott.com

Jennifer W. Sprengel (*pro hac vice*)  
Ellen Meriwether (*pro hac vice*)  
Daniel O. Herrera (*pro hac vice*)  
Kaitlin Naughton (*pro hac vice*)  
**CAFFERTY CLOBES MERIWETHER & SPRENGEL LLP**  
135 S. LaSalle Street, Suite 3210  
Chicago, IL 60603  
T: 312-782-4882  
jsprengel@caffertyclobes.com  
emeriwether@caffertyclobes.com  
dherrera@caffertyclobes.com  
knaughton@caffertyclobes.com

*Interim Co-Lead Counsel for the Cattle Plaintiffs*

K. Craig Wildfang (#0117043)  
Thomas J. Undlin (#0183751)  
Stacey P. Slaughter (#0296971)  
Geoffrey Kozen (#0398626)  
Eric P. Barstad (#0398797)  
**ROBINS KAPLAN LLP**  
800 LaSalle Avenue, Suite 2800  
Minneapolis, MN 55402  
T: 612-349-8500  
kcwildfang@robinskaplan.com  
tundlin@robinskaplan.com  
ssllaughter@robinskaplan.com  
gkozen@robinskaplan.com  
ebarstad@robinskaplan.com

Kellie Lerner  
**ROBINS KAPLAN LLP**  
399 Park Avenue, Suite 3600  
New York, NY 10022  
T: 212-980-7400  
klerner@robinskaplan.com

/s/ Shawn M. Raiter  
Shawn M. Raiter (#240424)  
**LARSON KING LLP**  
30 East Seventh Street, Suite 2800  
St. Paul, MN 55101  
T: (651) 312-6518  
sraiter@larsonking.com

Michael J. Flannery (*pro hac vice*)  
**CUNEO GILBERT & LADUCA, LLP**  
4725 Wisconsin Avenue, NW, Suite 200  
Washington, DC 20016  
T: (202) 789-3960  
mflannery@cuneolaw.com

Don Barrett (*pro hac vice*)  
Sterling Aldridge (*pro hac vice*)  
**BARRETT LAW GROUP, P.A.**  
P.O. Box 927  
404 Court Square North  
Lexington, Mississippi 39095-0927  
T: (662) 834-9168  
donbarrett@barrettlawgroup.com  
saldridge@barrettlawgroup.com

Jon Tostrud (#0251768)  
Anthony Carter (to apply *pro hac vice*)  
**TOSTRUD LAW GROUP, PC**  
1925 Century Park East  
Suite 2100  
Los Angeles, CA 90067  
T: (310) 278-2600  
jtostrud@tostrudlaw.com  
acarter@tostrudlaw.com

*Counsel for Erbert & Gerbert's, Inc. and the  
Proposed Beef Commercial Indirect  
Purchaser Plaintiffs*

/s/ Richard M. Paul III

Richard M. Paul III  
Ashlea G. Schwarz  
David Bodenheimer  
**PAUL LLP**  
601 Walnut Street, Suite 300  
Kansas City, Missouri 64106  
Telephone: (816) 984-8100  
Rick@PaulLLP.com  
Ashlea@PaulLLP.com  
David@PaulLLP.com

Tab Turner  
**TURNER & ASSOCIATES, P.A.**  
4705 Somers Avenue  
North Little Rock, Arkansas 72116  
Telephone: (501) 791-2277  
tab@tturner.com

Michael Montaño  
**GUERRA LLP**  
345 California St., Ste. 600  
San Francisco, California 94104  
Telephone: (210) 447-0500  
Fax: (210) 447-0501  
mmontano@guerrallp.com

Francisco Guerra IV.  
Alicia O'Neill  
Shalimar Wallis  
Alexis R. Garcia  
**GUERRA LLP**  
San Antonio, Texas 78212  
Phone: (210) 447-0500  
Fax: (210) 447-0501  
fguerra@guerrallp.com  
aoneill@guerrallp.com  
swallis@guerrallp.com  
argarcia@guerrallp.com

*Counsel for the Specht Plaintiffs*

Richard Alan Arnold  
William J. Blechman  
Kevin J. Murray  
Douglas H. Patton  
Samuel J. Randall  
Michael A. Ponzoli  
**KENNY NACHWALTER, P.A.**  
1441 Brickell Avenue, Suite 1100  
Miami, FL 33131  
rarnold@knpa.com  
wblechman@knpa.com  
kmurray@knpa.com  
dpatton@knpa.com  
srandall@knpa.com  
mponzoli@knpa.com

Paul E. Slater  
Joseph M. Vanek  
David P. Germaine  
Phillip F. Cramer  
Alberto Rodriguez  
Jeffrey H. Bergman  
**SPERLING & SLATER, LLC**  
55 West Monroe Street  
Suite 3200  
Chicago, IL 60603  
pes@sperling-law.com  
jvanek@sperling-law.com  
dgermaine@sperling-law.com  
pcramer@sperling-law.com  
arodriguez@sperling-law.com  
jbergman@sperling-law.com

David B. Esau  
Kristin A. Gore  
Garth T. Yearick  
**CARLTON FIELDS, P.A.**  
525 Okeechobee Boulevard  
Suite 1200  
West Palm Beach, FL 33401  
desau@carltonfields.com  
kgore@carltonfields.com  
gyearick@carltonfields.com

Eric R. Lifvendahl  
**LIFVENDAHL LAW, LLC**  
265 Latrobe Avenue  
Northfield IL 60093  
Eric@liflaw.com

Richard L. Coffman  
**THE COFFMAN LAW FIRM**  
3355 W. Alabama Street, Suite 240  
Houston, TX 77098  
rcoffman@coffmanlawfirm.com

Bernard D. Marcus  
Moira Cain-Mannix  
Brian C. Hill  
Erin Gibson Allen  
**MARCUS & SHAPIRA LLP**  
One Oxford Center  
35th Floor  
Pittsburgh, PA 15219  
marcus@marcus-shapira.com  
cain-mannix@marcus-shapira.com  
hill@marcus-shapira.com  
Allen@marcus-shapira.com

Robert N. Kaplan  
Elana Katcher  
Matthew P. McCahill  
**KAPLAN FOX & KILSHEIMER,  
LLP**  
850 Third Avenue  
14th Floor  
New York, NY 10022  
rkaplan@kaplanfox.com  
ekatcher@kaplanfox.com  
mmccahill@kaplanfox.com

Scott E. Gant  
**BOIES SCHILLER FLEXNER LLP**  
1401 New York Avenue, N.W.  
Washington, D.C. 20005  
sgant@bsfllp.com

Colleen Harrison  
**BOIES SCHILLER FLEXNER LLP**  
333 Main Street  
Armonk, NY 10504  
charrison@bsfllp.com

Sarah L. Jones  
**BOIES SCHILLER FLEXNER LLP**  
2029 Century Park East Suite 1520 Los  
Angeles, California 90067  
sjones@bsfllp.com

Philip J. Iovieno  
Jack G. Stern  
Mark A. Singer  
Justin V. Arborn  
**CADWALADER, WICKERSHAM &  
TAFT LLP**  
200 Liberty Street  
New York, NY 10281  
philip.iovieno@cwt.com  
jack.stern@cwt.com  
mark.singer@cwt.com  
justin.arborn@cwt.com

Patrick J. Ahern  
Theodore B. Bell  
**AHERN AND ASSOCIATES, P.C.**  
Willoughby Tower  
8 South Michigan Avenue, Suite 3600  
Chicago, Illinois 60603  
Ph: (312) 404-3760  
patrick.ahern@ahernandassociatespc.com  
theo.bell@ahernandassociatespc.com

Michael Calhoon  
Julie B. Rubenstein  
Christopher P. Wilson  
Jana I. Seidl  
Elizabeth E. Parker  
Wyatt M. Carlock  
**BAKER BOTTS L.L.P.**  
700 K Street NW  
Washington, DC 20001  
Telephone: (202) 639-7739  
Facsimile: (202) 585-1058  
michael.calhoon@bakerbotts.com  
julie.rubenstein@bakerbotts.com  
christopher.wilson@bakerbotts.com  
jana.seidl@bakerbotts.com  
elizabeth.parker@bakerbotts.com  
wyatt.carlock@bakerbotts.com

David C. Eddy  
Dennis J. Lynch  
Travis C. Wheeler  
**MAYNARD NEXSEN PC**  
1230 Main Street, Suite 700  
Columbia, SC 29201  
Telephone: (803) 771-8900  
Facsimile: (803) 253-8277  
deddy@maynardnexsen.com  
dlynch@maynardnexsen.com  
twheeler@maynardnexsen.com

*Counsel for Direct Action Plaintiffs*